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12 *Attorneys for Plaintiffs*

13 **IN THE UNITED STATES DISTRICT COURT**

14 **FOR THE DISTRICT OF ARIZONA**

15 IN RE BARD IVC FILTERS ) No. MD-15-02641-DGC  
16 PRODUCTS LIABILITY LITIGATION )  
17 ) AMENDED SHORT FORM  
18 ) COMPLAINT FOR DAMAGES FOR  
19 ) INDIVIDUAL CLAIMS AND  
20 ) DEMAND FOR JURY TRIAL  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

17 Plaintiff(s) named below, for their Complaint against Defendants named below,  
18 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

19 Plaintiff(s) further show the Court as follows:

20 1. Plaintiff/Deceased Party:

21 Kristen Stokely  
22 \_\_\_\_\_

23 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
24 consortium claim:

25 N/A  
26 \_\_\_\_\_

27 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
28 conservator):

29 N/A  
30 \_\_\_\_\_

1           4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
2           the time of implant:

3           Michigan  
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5           5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
6           the time of injury:

7           Michigan  
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9           6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

10           Michigan  
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12           7. District Court and Division in which venue would be proper absent direct filing:

13           U.S. District Court for the Eastern District of Michigan  
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15           8. Defendants (check Defendants against whom Complaint is made):

16            C.R. Bard Inc.

17            Bard Peripheral Vascular, Inc.

18           9. Basis of Jurisdiction:

19            Diversity of Citizenship

20            Other: \_\_\_\_\_  
21

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22           a. Other allegations of jurisdiction and venue not expressed in Master  
23           Complaint:  
24

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25           10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a

26           claim (Check applicable Inferior Vena Cava Filter(s)):

27            Recovery<sup>®</sup> Vena Cava Filter

28            G2<sup>®</sup> Vena Cava Filter

- G2® Express Vena Cava Filter
- G2® X Vena Cava Filter
- Eclipse® Vena Cava Filter
- Meridian® Vena Cava Filter
- Denali® Vena Cava Filter
- Other: \_\_\_\_\_

11. Date of Implementation as to each product:

8/1/2004

12. Counts in the Master Complaint brought by Plaintiff(s):

- Count I: Strict Products Liability – Manufacturing Defect
- Count II: Strict Products Liability – Information Defect (Failure to Warn)
- Count III: Strict Products Liability – Design Defect
- Count IV: Negligence – Design
- Count V: Negligence – Manufacture
- Count VI: Negligence – Failure to Recall/Retrofit
- Count VII: Negligence – Failure to Warn
- Count VIII: Negligent Misrepresentation
- Count IX: Negligence *Per Se*
- Count X: Breach of Express Warranty
- Count XI: Breach of Implied Warranty
- Count XII: Fraudulent Misrepresentation
- Count XIII: Fraudulent Concealment

- Count XIV: Violations of Applicable Michigan Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space immediately below)

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13. Jury Trial demanded for all issues so triable?

Yes  
 No

RESPECTFULLY SUBMITTED this 10th day of October, 2017.

## BARON & BUDD, P.C.

By: /s/ Matthew Haynie  
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*Attorney for Plaintiffs*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of October, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Matthew Haynie

Matthew Haynie